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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/829,396

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Seong-ho Kwon

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North Star Intellectual Property Law, PC

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EXAMINER

KAWSAR, ABDULLAH AL

ART UNIT

PAPER NUMBER

2195

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/829,396	<b>Applicant(s)</b> KWON, SEONG-HO	
	<b>Examiner</b> ABDULLAH AL KAWSAR	<b>Art Unit</b> 2195	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 17-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 17-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 February 2010 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Claims 1-15, 17-23 are pending.

***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/25/2010 has been entered.

***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claim 22 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

5. As per claim 22, the claim recites a “computer-readable recording medium”. However, the specification fails to provide clear definition for the claimed terminology. Without clear definition for “computer-readable recording medium” it is unclear if applicant intends to claim something broader than storage (e.g., RAM, ROM, CD-ROM, disks, etc.) and cover signals, carrier waves and other forms of transmission media. Therefore, the limitation computer-readable recording medium is not limited to physical articles or objects which constitute a

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manufacture within the meaning of 35 USC 101 and enable any functionality of the instructions carried thereby to act as a computer component and realize their functionality. As such, the claim is not limited to statutory subject matter and is therefore non-statutory.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-15, 17-23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. The following claim languages are not clearly understood and indefinite:
  - i. Claim 1, line 5 recites “receiving information..... using the hybrid device” it not clear what constitute receiving information using the hybrid device and where the information is received (i.e. receiving information in the hybrid device using the input unit of the hybrid device from a user? Receiving in the hybrid device through some default setting or some other device?). Line 9 recites “application type” it is unclear what constitutes the application type. Line 11 recites "hybrid device capable of" which is indefinite as the device being capable of performing the function dose not define that the device will actually perform the functionality as described.
  - ii. Claims 5, 14, 21 and 22 have similar deficiency as of claim 1 above.

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iii. Claim 23, line 1-2 recites “input unit is a front panel ..... or a remote control of the hybrid device” and further recites in line 3 “task handlers are not part of the hybrid device” it is unclear how the task-handlers are not part of the input unit if the input unit is the front panel of the hybrid device (a part of the hybrid device) and as the hybrid device comprises task-handlers as recited in claim 1, line 2.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-3, 5-11, 13-15, 17, 21-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Watanabe et al. (US Patent Publication no. 2002/0031328).

8. As per claim 1, Watanabe teaches the invention as claimed including a user interface method of a hybrid device, the hybrid device comprising a plurality of task-handlers corresponding to a common function key of an input unit, the task handlers controlled by operation of the common function key of the input unit (par. 0053; par. 0045), the user interface method comprising:

receiving information to change priorities of the task-handlers, using the hybrid device (par. 0086, lines 4-10);

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changing the priorities of the task-handlers in the hybrid device, based on the received information (par. 0086, lines 4-10); and

storing information regarding the changed priorities in the hybrid device, according to a predetermined application type indicating how the changed priorities are to be applied (par. 0072; par. 0086, lines 4-10; par. 0090),

wherein:

the hybrid device has a capability of simultaneously performing a plurality of recording and/or reproducing functions by simultaneously recording data to and/or reproducing data from at least one information storage medium (par. 0095; par. 0093);

each of the task-handlers of the hybrid device controlled by the operations of the common function key controls a different one of the plurality of recording and/or reproducing functions of the hybrid device (par. 0045); and

the priorities of the task-handlers of the hybrid device relate to an order in which the task handlers are individually and selectively controlled by the operation of the common function key (par. 0024; lines 7-12; par. 0089; operation of playback button).

9. As per claim 2, Watanabe teaches wherein the receiving of the information to change the priorities of the task-handlers comprises receiving from a user, via the input unit: a request to change the priorities of the task-handlers from the user (par. 0072; par. 0086, lines 4-10);

information regarding the common function key selected to change the priorities of task-handlers (par. 0084; par. 0086); and

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information to change the priorities of the common function key (par. 0072; par. 0086, lines 4-10; par. 0089).

10. As per claim 3, Watanabe teaches wherein the storing of information regarding the changed priorities comprises: receiving information regarding the selected predetermined application type, using the hybrid device (par. 0072; par. 0086, lines 4-10); and

storing the information regarding the changed priorities in the hybrid device, according to the selected application type (par. 0086; par. 0087, lines 1-2; par. 0072).

11. As per claim 5, Watanabe teaches the invention as claimed including a hybrid device comprising:

a plurality of task-handlers corresponding to a common function key and being controlled by the operation of the common function key (par. 0019; par. 0045);

a display to display information to change priorities of the task-handlers (par. 0070, lines 9-12; par. 0084);

an input unit comprising the common function key, to input the information to change the priorities of the task-handlers (par. 0045);

a priority changer to change the priorities of the task-handlers, based on the input information (par. 0086, lines 4-10); and

a memory to store information regarding the changed priorities of the task-handlers, according to an application type indicating how the changed priorities are to be applied (par. 0072; par. 0086, lines 4-10; par. 0090);

wherein:

the hybrid device has a capability of simultaneously performing a plurality of recording and/or reproducing functions by simultaneously recording data to and/or reproducing data from at least one information storage medium (par. 0095; par. 0093);

each of the task-handlers of the hybrid device controlled by the operations of the common function key controls a different one of the plurality of recording and/or reproducing functions of the hybrid device (par. 0045); and

the operation of each of the task-handlers of the hybrid device is selectively and individually controlled by the operation of the common function key, according to the priorities of the task-handlers (par. 0024; lines 7-12; par. 0089; operation of playback button).

12. As per claim 6, Watanabe teaches wherein, in response to a request to change the priorities, the display unit displays a menu to select the common function key from a plurality of function keys, a menu to change priorities for the selected function key, displays a priority change result, and a menu to select the application type (par. 0045(menu button); par. 0084; par. 0085; figure 9; par. 0090).

13. As per claim 7, Watanabe teaches wherein the input unit receives the request to change the priorities of the task-handlers, information regarding the selected function key, the changed priorities, and the application type, and provides the request to change the priorities and the information to the priority changer (par. 0084-0086; par. 0090).



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14. As per claim 8, Watanabe teaches wherein the common function key is a "PLAY" key, a "RECORD" key, a "STOP" key, a "PAUSE" key, a "FAST FORWARD SCAN" key, or a "REWIND SCAN" key (par. 0045; par. 0050).

15. As per claim 9, Watanabe teaches wherein the priority changer changes the priorities of task-handlers corresponding to the selected common function key, based on the request to change the priorities, the information regarding the selected common function key, and the changed priorities (par. 0084-0086).

16. As per claim 10, Watanabe teaches wherein the priority changer implements and changes the priorities of the task-handlers using a linked-list (figure 9).

17. As per claim 11, Watanabe teaches wherein the memory stores the information regarding the changed priorities according to information regarding the selected application type (par. 0072).

18. As per claim 13, Watanabe teaches wherein the input unit further comprises: a priority change request key that a user uses to transmit the information to change priorities for the function key (par. 0055; par. 0084; par. 0086).

19. As per claim 14, Watanabe teaches the invention as claimed including an apparatus to change the priorities of task-handlers of a hybrid device, the apparatus (abstract), comprising:

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an input device to input a priority change request from a user, to the hybrid device (par. 0045);

a display to display a function key selection menu comprising function keys selectable by the user, in response to the and to display a priority menu comprising specific priorities of a plurality of the task-handlers of the hybrid device that correspond to a common one of the function keys selected by the user from the function key menu and are controlled by operation of the selected common function key (par. 0070, lines 9-12; par. 0084); and

a priority changer to change the specific priorities of the plurality of task-handlers of the hybrid device controlled by the operation of the selected common function key based on the selections made by the user from the priority menu (par. 0086, lines 4-10),  
wherein:

the hybrid device has a capability of simultaneously performing a plurality of recording and/or reproducing functions by simultaneously recording data to and/or reproducing data from at least one information storage medium (par. 0095; par. 0093);

each of the task-handlers of the hybrid device controlled by the operations of the common function key controls a different one of the plurality of recording and/or reproducing functions of the hybrid device (par. 0045); and

wherein the operation of each of the task handlers of the hybrid device controlled by the operation of the selected common function key is selectively and individually controlled by the operation of the selected common function key, according to the specific priorities of the task-handlers of the hybrid device controlled by the operation of the selected common function key (par. 0024; lines 7-12; par. 0089; operation of playback button).

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20. As per claim 15, it has similar limitation as of claim 8 above. Therefore it is rejected under the same rational as of claim 8 above.

21. As per claim 17, Watanabe teaches wherein the displayer displays the priorities of the task-handlers of the hybrid device controlled by the operation of the selected common function key after the priorities changer changes the priority of the task-handlers of the hybrid device controlled by the operation of the selected common function key (par. 0070, lines 9-12).

22. As per claim 21, Watanabe teaches the invention as claimed including a method, implemented in a hybrid device, to change priorities of a plurality of task-handlers of the hybrid device corresponding to a common function key, the task-handlers being controlled by operation of the common function key(par. 0053; par. 0045), the method comprising:

receiving a request to change priorities of the task-handlers from a user, using the hybrid device (par. 0086, lines 4-10); and

changing priorities of the task handlers in the hybrid device, based on the received information (par. 0086, lines 4-10); wherein:

the hybrid device has a capability of simultaneously performing a plurality of recording and/ or reproducing functions by simultaneously recording data to and/or reproducing data from at least one information storage medium (par. 0095; par. 0093);

each of the task-handlers of the hybrid device controlled by the operations of the common function key controls a different one of the plurality of recording and/or reproducing functions of the hybrid device (par. 0045); and

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the operation of each of the task-handlers of the hybrid device is selectively and individually controlled by the operation of the common function key, according to the priorities of the task-handlers (par. 0024; lines 7-12; par. 0089; operation of playback button).

23. As per claim 22, Watanabe teaches the invention as claimed including a computer-readable recording medium having a program for controlling a computer to change priorities of a plurality task-handlers of a hybrid device, the task handlers of the hybrid device corresponding to a common function key of an input unit and being controlled by operation of the common function key of the input unit(par. 0053; par. 0045), the program comprising:

receiving a request to change priorities of the task-handlers from a user (par. 0086, lines 4-10); and

changing priorities of the task handlers based on the received information (par. 0086, lines 4-10);

wherein:

the hybrid device has a capability of simultaneously performing a plurality of recording and/ or reproducing functions by simultaneously recording data to and/or reproducing data from at least one information storage medium (par. 0095; par. 0093);

each of the task-handlers of the hybrid device controlled by the operations of the common function key controls a different one of the plurality of recording and/or reproducing functions of the hybrid device (par. 0045); and

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the operation of each of the task-handlers of the hybrid device is selectively and individually controlled by the operation of the common function key, according to the priorities of the task-handlers (par. 0024; lines 7-12; par. 0089; operation of playback button).

24. As per claim 23, Watanabe teaches wherein the input unit is a front panel of the hybrid device or a remote controller of the hybrid device (par. 0044 and par.0045); and the task handlers are not part of the input unit (par.0072 and par. 0073).

***Claim Rejections - 35 USC § 103***

25. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

26. Claims 4, 12, 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. (US Patent Publication no. 2002/0031328), in view of Cottrell (US Patent Publication No. 2002/0005435).

27. As per claim 4, Watanabe do not specifically disclose wherein the information regarding the selected predetermined application type comprises information indicating whether the changed priorities are to be applied once, are to be applied permanently or are to be set to a default setting.

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However Cottrell teaches wherein the information regarding the selected predetermined application type comprises information indicating whether the changed priorities are to be applied once, are to be applied permanently or are to be set to a default setting (par. 0078)

28. It would have been obvious to a person of ordinary skill in art at the time of invention was made to incorporate the teaching of Cottrell into the method of Watanabe to have application type comprising information indicating changed priorities are to be applied once, permanently or default. The modification would have been obvious because one of the ordinary skills of the art would be motivated to utilize the teaching of Cottrell to change the priority setting of the common function key in once, permanent or default for better configuration of the system according to the users need.

29. As per claim 12, it has similar limitation as of claim 4 above. Therefore it is rejected under the same rational as of claim 4 above.

30. As per claim 18, Cottrell teaches wherein the changed priorities of the task-handlers are applied permanently (par. 0078).

31. As per claim 19, Cottrell teaches wherein the changed priorities of the task-handlers are applied once (par. 0078).

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32. As per claim 20, Cottrell teaches wherein the changed priorities of the task-handlers are set as default setting (par. 0078).

***Response to Arguments***

33. Applicant's arguments with respect to claim(s) have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ABDULLAH AL KAWSAR whose telephone number is (571)270-3169. The examiner can normally be reached on 7:30am to 5:00pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng Ai T. An can be reached on 571-272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Meng-Ai An/

/Abdullah-Al Kawsar/

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Supervisory Patent Examiner, Art Unit 2195

Examiner, Art Unit 2195